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STAFF REPORT

August 6, 2025

CASE NUMBER: TEXT-0085-2025

APPLICANT: Bryan Wood for The City of Perry

REQUEST: Amend the definition of self-service vending units

STAFF COMMENTS: A recent code enforcement case prompted staff to review the definition of self-service vending units to ensure it adequately describes the types of vending units the City Council wishes to prohibit.

STANDARDS FOR GRANTING A TEXT AMENDMENT:

- (1) **Whether, and the extent to which the proposed amendment is consistent with the Comprehensive Plan.**

The amendment is not inconsistent with the Comprehensive Plan.

- (2) **Whether, and the extent to which the proposed amendment is consistent with the provisions of this chapter and related city regulations.**

The proposed amendment is consistent with the format of the Land Management Ordinance.

- (3) **Whether, and the extent to which there are changed conditions from the conditions prevailing at the time that the original text was adopted.**

Staff identified areas within the definition of self-service vending unit that needed further clarification.

- (4) **Whether, and the extent to which the proposed amendment addresses a demonstrated community need.**

The City Council has determined that self-service vending units are not appropriate in Perry.

- (5) **Whether, and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.**

The amendment is consistent with the policy of the City Council and addresses the purposes of ensuring appropriate commercial development patterns along corridors and creating a convenient, attractive, and harmonious community.

- (6) **Whether, and the extent to which the proposed amendment will result in logical and orderly development pattern.**

The amendment prevents inappropriate elements which could negatively impact traffic patterns and community appearance.

- (7) **Whether, and the extent to which the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.**

The amendment has no direct impact on the natural environment.

(8) Whether, and the extent to which the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The amendment has no impact on public facilities and services.

STAFF RECOMMENDATION:

Approval as submitted.

Amend the definition of self-service vending unit as follows:

~~Self-service vending unit means a freestanding vending machine larger than five feet in width by three feet in depth by seven feet in height that may operate without full-time personnel (e.g. bulk ice vending machines). These units are activated by insertion of money or electronic payment; the product is automatically dispensed individually or in bulk outside to the customer.~~

Self-service vending unit means a freestanding machine which is activated by inserting tokens or money into the machine or activated by use of electronic payment and dispenses individual or bulk merchandise to the customer and:

- 1. the full length of one of its longest sides is located more than one foot from a wall of a principal building; or*
- 2. the unit is not located completely under the roof, overhang, awning, or colonnade of a principal building; or*
- 3. exceeds 80 inches in height; or*
- 4. exceeds 48 inches in width; or*
- 5. exceeds 36 inches in depth.*